

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-4, 6-13, 15-30, 32-35, 37-44, and 46-49 are pending in the application, with Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47 being independent.

Claims 5, 14, 31, 36, and 45 were previously canceled without prejudice to or disclaimer of the subject matter recited therein.

Claims 50-52 were previously withdrawn while reserving the right to include the subject matter recited therein in related continuation and divisional applications.

Claims 1, 2, 8, 11, 13, 15, 18, 20, 22, 23, 26-30, 32, 33, 37, 39, 42, 46, and 47 are amended herein. Amendments to the claims have been made to correct grammatical errors and other informalities found therein. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added. Favorable consideration is respectfully requested.

§ 103 REJECTIONS

Claims 1-4, 6-13, 15-30, 32-35, 37-44, and 46-49 were rejected under 35 U.S.C. § 103(a) as being obvious over Humpleman *et al.* (U.S. Patent No. 6,466,971; hereinafter, "Humpleman") in view of Robinson *et al.* (U.S. Patent Publication No. 2005/0198189; hereinafter, "Robinson"). Applicant respectfully traverses the rejection and further requests that the rejection be reconsidered and withdrawn. However, in spite of Applicant's traversal, without acquiescing to the propriety of the rejection, and for the

sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47 in the manner set forth above.

As stated above, it is Applicant's understanding that Examiner Boutah agreed that independent Claims 1, 11, 18, 26, 27, 32, 37, and 47, as amended as discussed during the interview, are patentable over at least the references of record. Nevertheless, Applicant hereby submits the following remarks with respect to the above claims.

For at least the reasons set forth below, Applicant respectfully submits that neither Humpleman nor Robinson teaches or suggests at least the following features recited in independent Claim 1:

instantiating, by the parent DMS, one or more child DMS; and
delegating control of one or more of the plurality of software components of the distributed software infrastructure to the one or more child DMS.

Applicant submits that Humpleman is directed to a method and system for providing central command and control of devices in home network (Col. 2, lines 23-25) whereas Robinson teaches generating a display having graphical and/or media components at a client (Abstract). However, it is respectfully submitted that neither references teaches nor suggests a parent DMS, instantiating one or more child DMS by a parent DMS, and delegating control of one or more of the plurality of software components of the distributed software infrastructure to the one or more child DMS, as presently recited in independent Claim 1. Accordingly, for at least the foregoing reasons, Claim 1 is patentable over Humpleman and Robinson, both singularly and in combination with one another.

Additionally, Applicant submits that both Humpleman and Robinson fail to teach or suggest the following features recited in independent Claim 18:

discovering the capabilities of a client device to render a stream of data;

discovering the capabilities of a source device to stream data that is to be rendered, the discovering the capabilities of the client device and the source device by querying a look-up table that specifies a particular capability.

The Action asserts that Humpleman teaches “capabilities of the client device to stream data that is to be rendered” (Col. 2, 52-63) and “capabilities of the source device to stream data that is to be rendered” (Col. 9, lines 9-18). Even if the foregoing were true, however, to which Applicant does not acquiesce, Applicant respectfully submits that Robinson does not teach “the discovering the capabilities of the client device and the source device by querying a look-up table that specifies a particular capability,” as presently recited in Claim 18 (emphasis provided). In fact, it is submitted that Humpleman does not even mention or suggest any type of look-up table whatsoever.

Further, Robinson does not compensate for the deficiencies in Humpleman noted above with respect to independent Claim 18, nor does the rejection make any argument to that effect. Accordingly, for at least the reasons set forth above, independent Claim 18 is patentable over Humpleman and Robinson, both singularly and in combination with one another.

Moreover, independent Claims 11, 18, 26, 27, 32, 37, 39, and 47 recite features similar to those discussed above with regard to independent Claims 1 and 18. Accordingly, Applicant respectfully submits that independent Claims 11, 18, 26, 27, 32, 37, 39, and 47 are also patentable over Humpleman and Robinson, both singularly and in

combination with one another for at least the same reasons

Further, without any teaching or suggestion as to how or even why the descriptions in Humpleman may be modified, it is further submitted that one of ordinary skill would not have been motivated to modify the implementations described by Humpleman with Robinson, nor would it have been obvious to try. Further, as Humpleman fails to teach or suggest several features recited in independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47 and Robinson fails to remedy the deficiencies in Humpleman set forth above, Applicant respectfully submits that one of ordinary skill in the art would not have sought to modify Humpleman using such a reference. Likewise, as the references noted above lack several features recited in independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47, it would not have been obvious to try, at the time of the invention, to make the inventions as presently claimed.

Thus, Humpleman and Robinson, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the recitations of independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47. Accordingly, Applicant respectfully submits that independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47 are patentable over the proposed combination of references. Furthermore, dependent Claims 2-4, 6-10, 12, 13, 15-17, 19-25, 28-30, 33-35, 38, 40-44, 46, 48, and 49 are patentable by virtue of their dependency on independent Claims 1, 11, 18, 26, 27, 32, 37, 39, and 47, as well as for the additional features that each claim recites. Applicant also respectfully requests individual consideration of each dependent claim.

Therefore, for at least the foregoing reasons, it is respectfully submitted that

Claims 1-4, 6-13, 15-30, 32-35, 37-44, and 46-49 are not obvious over Humpleman in view of Robinson, and therefore, the present rejections under 35 U.S.C. § 103(a) should be reconsidered and withdrawn.

CONCLUSION

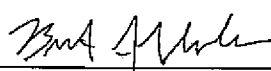
For at least the foregoing reasons, it is respectfully submitted that Claims 1-4, 6-13, 15-30, 32-35, 37-44, and 46-49 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

The arguments and amendments presented herein were necessitated by the most recent Office Action and the telephone interview between Applicant's representative and Examiner Boutah dated April 22, 2009, and could not have been presented previously because the non-final Office Action rejected claims based on new art not previously of record. If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

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